Equality of Opportunity and Freedom from Discrimination

MHR Connections

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THE MANITOBA HUMAN RIGHTS COMMISSION

LA COMMISSION DES DROITS DE LA PERSONNE DU MANITOBA

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Dianna Scarth leaves the Manitoba Human Rights Commission

After almost 16 years at the helm of the Manitoba Human Rights Commission, Dianna Scarth is moving on. Ms Scarth was known to embrace change, and this philosophy was reflected in the evolution of the Commission over the years.

One of her greatest challenges was battling misconceptions about the Commission when it came to systemic discrimination. "It is still assumed today by many that the Commission only deals with individual complaints, despite success after success in dealing with systemic complaints, which result in positive change for many people," she recently stated. "It is important to know that human rights legislation can be used as a tool to achieve systemic change."

The most well known human rights adjudication during Ms Scarth's years as Executive Director was the Pasternak Twins and their complaint against The Manitoba High School Sports Athletic Association. Ms Scarth supported the twins' right to play on their high school boys' hockey team, and always maintained that there was no substance to the floodgates argument suggesting that the success of the Pasternak case meant the demise of girls hockey. Ms Scarth has been quoted as saying, "This was not an easy road for them to take, and they deserve our admiration for their courage."

Ms Scarth became the executive director of the Commission in 1996. She introduced new ways of resolving complaints through mediation at the front end of the complaint process, a system now followed by many Commissions across the country. She also introduced the Commission's Educational Programs for employers. The sessions continue to be successful today.

One of her greatest passions was the Commission's Youth Initiative, which includes annual youth conferences, youth publications, and a human rights website for students and teachers. According to Ms Scarth, the Commission realized that it wasn't enough to just talk to teachers and administrators. It needed a direct-line relationship with young people.

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The Rights Connection
by the Staff and Commissioners
Manitoba Human Rights Commission

Without continual growth and progress, such words as improvement, achievement, and success have no meaning.
- Benjamin Franklin

The Manitoba Human Rights Commission is changing. Not only have new amendments to *The Human Rights Code* addressed concerns regarding discrimination against gender identity and social disadvantage, staff continue to develop more efficient ways of dealing with complaints including early resolution processes. And its leader, the person responsible for inspiring change, Dianna Scarth, is leaving the Commission and taken a position at the University of Winnipeg.

As Dianna would say, change is good. She never backed down from it, and indeed, fought for it. In fact it was Dianna who introduced new ways of resolving complaints through mediation at the front end of the complaint process, a system now followed by many Commissions across the country. Not only did this new way of thinking take care of the backlog of cases faced by investigators, it also revealed that both the complainant and the respondent were more satisfied with the outcome

Author, activist and humanitarian Francis Moore Lappé has said "I'm neither an optimist nor a pessimist. I am a dyed-in-the-wool possibilist!" No better words could describe Dianna and the various strategies, initiatives and sheer determination she brought to the Manitoba Human Rights Commission.

University of Winnipeg students will now benefit from her immense experience and knowledge of human rights, provincially, nationally and globally. Thank you Dianna, for all your contributions over the years.

Registration for the September 2012 - June 2013 Education Programs is now open.

These programs can fill up very quickly.
Please book your space now.
www.manitobahumanrights.ca/wpg_workshops.html
or call 204-945-5112 / 1-888-884-8681

Agencies call on Governments to endorse the UN Declaration

The Canadian Association of Statutory Human Rights Agencies (CASHRA) is calling on all levels of government across Canada to implement the UN Declaration on the Rights of Indigenous Peoples. The Manitoba Human Rights Commission is a member of CASHRA.

The Declaration is a positive document that maps out a path for Indigenous peoples to be free from discrimination and secure in their identities and life choices. It recognizes the fundamental rights of Indigenous peoples around the world, and outlines minimum standards for their survival, dignity and wellbeing.

"Implementing the standards in the Declaration would foster stronger relationships with First Nations, Métis and Inuit peoples and promote Reconciliation across Canada," says Barbara Hall, Chairperson of CASHRA. "Together with Indigenous peoples, we need to increase awareness and understanding of the Declaration and to develop an understanding of how the principles of this document can be implemented."

Canada formally endorsed the Declaration in November of 2010, however, some provinces and territories have not followed suit. CASHRA is also calling on these provinces and territories to formally endorse the Declaration.

September 2012 will mark five years since the United Nations acted on almost 30 years of advocacy by Indigenous Peoples around the world and adopted the Declaration on the Rights of Indigenous Peoples.

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And finally, Ms Scarth is especially pleased that the long sought-after amendments to *The Human Rights Code* to include Gender Identity and Social Disadvantage as protected grounds from discrimination were proclaimed last June.

For many years Ms Scarth has served as the inspiration and leader of the staff of the Manitoba Human Rights Commission, a sentiment echoed by colleagues from Human Rights Commissions across the country.

"I would like to express my appreciation to Ken Filkow, Janet Baldwin and Jerry Woods for their support and guidance in their role as Chairs of the Commission, to my amazing colleagues and to people in the community who have made my job such a pleasure over the years. It was a rare opportunity for which I will always be grateful," said Ms Scarth.

The University of Winnipeg will benefit from the knowledge and experience Ms Scarth brings to the field of human rights. She begins teaching there in September.

Examples: Systemic Settlements

In a 2008 mediated settlement, all intersections with pedestrian traffic signals eventually will have audible cues.

A very recent, important systemic settlement case provided for discharging a number of residents of the Portage Developmental Centre into the community over the next 3 years.

The Association of Foreign Medical Graduates in Manitoba filed complaints alleging discrimination against international medical graduates (IMGs). The mediation and subsequent negotiations amongst the parties resulted in systemic changes to training and licensing for IMGs. A significantly greater number of IMGs are now accessing residency positions each year and a number of specialized supports and resources are available to them.

Would your community group benefit from a training session?

The Social Planning Council of Winnipeg (SPCW) and the Manitoba Human Rights Commission (MHRC) have joined forces and are putting together a training program for community based organizations on protections from discrimination.

First, however, they are asking for feedback so that any proposed training session is both meaningful and relevant to as many organizations as possible.

To do this, the SPCW and the MHRC are asking that community organization leaders or members fill out a simple survey. All the information gathered is confidential.

The answers will assist in designing the training session and prioritizing the issues. The survey can be found on the Social Planning Council Website and the Manitoba Human Rights Commission website, until mid September. www.spcw.mb.ca or www.manitobahumanrights.ca.

You can help by promoting and disseminating the survey throughout your networks.

Although the funding for this survey is made possible by The Winnipeg Foundation, fund raising for the implementation phase of this project is still underway. The survey responses, should they indicate a strong interest or need, may be helpful in securing the necessary funding for the implementation phase.

If you have any questions feel free to contact the Project Manager/Consultant, Sue Hemphill at 204-774-7742 or sue@healthyhive.ca.

September 15 is the
International Day of Democracy

September 21 is the
International Day of Peace